

## THE MINUTES OF THE REGULAR MEETING OF JULY 9, 2020

The regular meeting of the Sussex County Planning and Zoning Commission was held on Thursday evening, July 9, 2020 in the County Council Chamber, Sussex County Administration Office Building, Georgetown, Delaware. Members of the public also attended this meeting by teleconference. The teleconference system was tested during the meeting by staff to confirm connectivity.

The meeting was called to order at 5:30 p.m. with Chairman Wheatley presiding. The following members of the Commission were present: Mr. Robert Wheatley, Ms. Kim Hoey-Stevenson, Mr. Keller Hopkins, Ms. Holly Wingate, Mr. J. Bruce Mears, with Mr. Vincent Robertson – Assistant County Attorney, Mr. Jamie Whitehouse – Director of Planning & Zoning, Ms. Christin Headley – Planner I and Mr. Chase Phillips – Planner I.

Mr. Whitehouse noted that there were no changes to the Agenda. Motion by Mr. Mears, seconded by Ms. Stevenson and carried unanimously to approve the Agenda. Motion carried 5-0.

### ADDITIONAL BUSINESS

Annual Administration of Oaths – Mr. Robertson administered Oaths to the Planning and Zoning Commission Members.

### REORGANIZATION

Chairman Wheatley announced that Mr. Whitehouse, Planning & Zoning Director would act as Chair for the purpose of electing a Chair and Vice Chair, and electing Officers.

Mr. Whitehouse opened nominations for the Chairperson.

Mr. Hopkins nominated Mr. Wheatley as Chairman. There was no other nomination for Chairman.

Motion by Ms. Wingate, seconded by Ms. Stevenson, that the nominations for Chairman be closed. Motion carried 5-0.

Vote to close nominations by roll call: Ms. Stevenson-yea, Mr. Hopkins-yea, Ms. Wingate-yea, Mr. Mears-yea, Mr. Wheatley-yea.

Motion by Mr. Hopkins to elect Mr. Wheatley as Chairman, seconded by Mr. Mears. Motion carried 5-0.

Vote for Mr. Wheatley, as Chairman by roll call: Ms. Stevenson-yea, Mr. Hopkins-yea, Ms. Wingate-yea, Mr. Mears-yea, Mr. Wheatley-yea.

Mr. Whitehouse opened nominations for Vice-Chair.

Ms. Wingate nominated Ms. Stevenson as Vice-Chair. There were no other nominations for Vice-Chair.

Motion by Mr. Hopkins, seconded by Mr. Mears, that the nominations for Vice-Chair be closed. Motion carried 5-0.

Vote to close nominations by roll call: Mr. Mears-yea, Ms. Wingate-yea, Mr. Wheatley-yea, Mr. Hopkins-yea, Ms. Stevenson-yea.

Motion by Mr. Hopkins, seconded by Ms. Wingate to elect Ms. Stevenson as Vice-Chair. Motion carried 5-0.

Vote Ms. Stevenson as Vice-Chair by roll call: Mr. Mears-yea, Ms. Wingate-yea, Mr. Wheatley-yea, Mr. Hopkins-yea, Ms. Stevenson-yea.

Mr. Whitehouse turned the meeting over to Chairman Wheatley as the now elected Chairman of the Planning & Zoning Commission.

Motion by Ms. Stevenson to authorize the Planning and Zoning Director, the Planning and Zoning Manager and his or her designees to sign Record Plans on behalf of the Commission.

Motion by Ms. Stevenson seconded by Mr. Mears and carried unanimously to approve the authorized the Plan signers as stated in the motion. Motion carried 5-0.

Mr. Whitehouse noted some minor changes to the minutes as circulated. Motion by Ms. Wingate, seconded by Ms. Stevenson to approve the minutes from June 11, 2020 and June 25, 2020, meetings as revised. Motion carried 5-0.

## OLD BUSINESS

### **2020-3 – Lands of Cypress Point Properties, LLC**

A standard subdivision to divide 9.603 acres +/- into 4 single family lots to be located on a certain parcel of land lying and being in Little Creek Hundred, Sussex County. The property is lying on the south side of Gordy Road approximately 0.31 miles east of Old Stage Road. Tax Parcel: 332-4.00-49.00. Zoning District. AR-1 (Agricultural Residential District).

The Commission discussed this application which has been deferred since June 25, 2020.

Ms. Wingate moved that the Commission grant preliminary approval for Subdivision 2020-3 for Cypress Point Properties, LLC based upon the record made during the Public Hearing and for the following reasons:

1. The proposed subdivision generally meets the purpose of the Subdivision Ordinance in that it protects the orderly growth of the County.
2. The land is zoned AR-1 which permits low density single family residential development. The proposed subdivision density of 4 lots on 9.603 acres of land is significantly less than the allowable density.
3. The proposed subdivision will be consistent with the area and will not adversely affect nearby uses or property values.
4. The proposed subdivision will not adversely impact schools, public buildings and community facilities.
5. The proposed subdivision will not adversely affect traffic on area roadways.

6. The applicant has requested a waiver from the topographical requirements of the subdivision. This waiver is appropriate given the small size of the subdivision and because there are not any significant topographical deviations on the site.
7. The applicant has requested a waiver from the forested buffer requirements for the subdivision. This waiver is appropriate because the small size of the subdivision that does not allow for the inclusion of the buffer areas, and also because there will not be any HOA established among the 4 lot owners to maintain a buffer.
8. Because staff is in receipt of all agency approvals, it is appropriate to grant both preliminary and final approval of this subdivision site plan.

Motion by Ms. Wingate, seconded by Mr. Mears and carried unanimously to grant approval for the reasons and conditions stated in the Motion. Motion carried 5-0.

**C/Z 1907 – Matthew C. Hete**

**An Ordinance to amend the Comprehensive Zoning Map of Sussex County from an AR-1 Agricultural Residential District to a MR Medium Density Residential District for a certain parcel of land lying and being in Lewes and Rehoboth Hundred, Sussex County, containing 1.25 acres, more or less.** The property is lying on the southeast side of Postal Lane approximately 0.22 mile northeast of Plantation Road. 911 Address: 34360 Postal Lane, Lewes. Tax Parcel: 334-6.00-686.00

The Commission discussed this application which has been deferred since June 25, 2020.

Ms. Stevenson recommended denial of CZ 1907 for Matthew C. Hete for a change in zone from AR-1 Agricultural Residential District to a MR Medium Density Residential District, based upon the record and for the following reasons:

1. The Applicant seeks to rezone what is currently a 1.25 acre AR-1 lot with an existing single family home to MR so that 14 new multi-family units can be constructed on the lot. The conversion of a single AR-1 lot to MR is not appropriate in this location.
2. The application is not consistent with the other AR-1 zoning and individual AR-1 lots in the same area along the southeast side of Postal Lane.
3. While there are other properties in this area with MR zoning, Sandy Brae is a large subdivision with single family homes and a density very near what is permitted under AR-1. Also, Heritage Village is a larger planned community that includes a golf course. MR Zoning is appropriate for the Heritage Village site since that property is immediately adjacent to the C-1 corridor of Route One. Here, the application is a relatively small stand-alone property where the applicant is seeking to construct only multi-family units. Unlike Sandy Brae and Heritage Village, MR zoning is not justified on this site.
4. The MR zoning would allow an increase in density on this site along Postal Lane. Postal Lane is a relatively small, two-lane road with no sidewalks. It is heavily travelled already, and it cannot support the increased density that would result from rezoning this property to MR.
5. Although the current Sussex County Comprehensive Plan indicates that this property is in the Coastal Area, it does not mandate that the property be rezoned to MR. The Plan states that “Sussex County’s base density of 2 units per acre is appropriate throughout this classification.” That statement supports the continuation of the existing AR-1 zoning and the 2 units per acre that is permitted in the AR-1 zoning.

6. The current Sussex County Comprehensive Plan suggests that densities greater than 2 units per acre can be justified in the Coastal Area under certain circumstances. However, several of the conditions mentioned in the Plan are not satisfied. For example, MR Zoning on 1.25 acres for a proposed 14-unit multi-family development is not in keeping with the area. The MR Zoning and proposed multi-family development is not on a main road at or near a major intersection. Postal Lane is a narrow, two-lane road at this location. Also, it is not appropriate to create such a small, standalone parcel of MR-Zoned property that would be overburdened with the planned 14 multi-family units.
7. Several neighbors appeared in opposition to the application, citing concerns about traffic, the inconsistent zoning and proposed housing types on this small parcel of land.
8. For the reasons stated, the proposed rezoning does not promote the overall health, safety, convenience and general welfare of the neighborhood or the County.
9. There is nothing in the record to suggest that MR zoning is more appropriate than the existing AR-1 zoning on this small property.
10. For all of these reasons, it is my recommendation that CZ #1907 be denied.

Motion by Ms. Stevenson, seconded by Ms. Wingate, and carried unanimously to recommend denial for the reasons and with the conditions stated in the Motion. Motion carried 5-0.

**C/U 2209 – Matthew C. Hete**

**An Ordinance to grant a Conditional Use of land in an MR Medium Density Residential District for multi-family (14 units) to be located on a certain parcel of land lying and being in Lewes and Rehoboth Hundred, Sussex County, containing 1.25 acres, more or less.** The property is lying on the southeast side of Postal Lane approximately 0.22 mile northeast of Plantation Road. 911 Address: 34360 Postal Lane, Lewes. Tax Parcel: 334-6.00-686.00

The Commission discussed this application which has been deferred since June 25, 2020.

Because the Commission moved to recommend denial of CZ #1907 for Matthew C. Hete for a change in zone from AR-1 to MR Medium Density Residential, Ms. Stevenson moved to recommend denial of CU #2209. Because CU #2209 is based upon the land being zoned MR, this conditional use cannot be approved with the land remaining zoned as AR-1.

Motion by Ms. Stevenson, seconded by Mr. Hopkins, and carried unanimously to recommend denial for the reasons and with the conditions stated in the Motion. Motion carried 5-0.

**C/Z 1916 Alice P. Robinson, Trustee**

**An Ordinance to amend the Comprehensive Zoning Map of Sussex County from an AR-1 Agricultural Residential District to a C-2 Medium Commercial District for a certain parcel of land lying and being in Broadkill Hundred, Sussex County, containing 3.03 acres, more or less.** The property is lying on the southwest side of Coastal Highway (Route 1) approximately 458 feet south of Cave Neck Road (S.C.R. 88). 911 Address: Not Available. Tax Parcel: 235-23.00-54.01, 54.02, and 54.05

The Commission discussed this application which has been deferred since June 25, 2020.

Ms. Stevenson moved that the Commission recommend approval of C/Z 1916 for Alice P. Robinson, Trustee for a Change in Zone from AR-1 Agricultural Residential Zoning District to C-2 Medium Commercial Zoning District based upon the record made during the public hearing and for the following reasons:

1. C-2 Medium Commercial Zoning is designed to support retail sales and the performance of consumer services. It is intended to be located near arterial and collector roads.
2. The Applicant's property is currently zoned AR-1, but it is contiguous to SCR 1 and a future service road being planned by DelDOT. There are other commercial zonings and commercial uses existing in the area. This is an appropriate location for C-2 zoning.
3. C-2 Zoning at this location will benefit nearby residents of Sussex County by providing a convenient location for small retail and service uses.
4. There is no evidence that this rezoning will have an adverse impact on neighboring properties or area roadways.
5. The site is in the "Coastal Area" according to the Sussex County Land Use Plan and Future Land Use Map. This is an appropriate location for C-2 Zoning according to the Plan.
6. The location is served by central sewer, which is appropriate to support C-2 and the permitted uses within that district.
7. The proposed rezoning meets the general purpose of the Zoning Code by promoting the orderly growth, convenience, order prosperity and welfare of the County.
8. No parties appeared in opposition to the rezoning application.
9. Any future use of the property will be subject to Site Plan review by the Sussex County Planning and Zoning Commission.

Motion by Ms. Stevenson, seconded by Mr. Mears, and carried unanimously to recommend approval for the reasons and conditions stated in the Motion. Motion carried 5-0.

#### PUBLIC HEARINGS

Mr. Robertson described the procedures for public hearings before the Planning and Zoning Commission.

#### **C/U 2210 – Dewey Beer Company, LLC**

**An Ordinance to grant a Conditional Use of land in a C-1 General Commercial District for a microbrewery to be located on a certain parcel of land lying and being in Broadkill Hundred, Sussex County, containing 5.0 acres, more or less.** The property is lying on the east side of Harbeson Rd. (Rt. 5) approximately 707 ft. north of Lewes-Georgetown Hwy. (Rt. 9). 911 Address: 18499 Harbeson Rd., Harbeson. Tax Parcel: 235-30.00-21.00

Mr. Whitehouse advised the Commission that submitted into the record were the Applicant's conceptual site plan, a letter from the Applicant with an internal layout, a staff analysis, the DelDOT service level evaluation response, and comments from the Sussex County Engineering Department Utility Planning Division. Also, submitted into the record are six letters of support and eleven letters of opposition.

The Commission found that Mr. Fred Townsend, Esquire was present on behalf of the applicant Dewey Beer Company, LLC, that also present are Mike Riley and Brandon Smith principal of Dewey Beer Company; that Dewey Beer Company have another location where they have been responsible neighbors and have no complaints against them; that they are a locally owned organization; that they run a full service restaurant in Dewey Beach that employs people year round; that microbreweries are licensed by the office of Alcohol Beverage and Control Commission and by nature can be controversial; that microbreweries are highly regulated; that they cannot operate as a bar; that almost 90% of the space is devoted to the production of beer which is intended for sale and off-site consumption; that there will be a tasting room for the products produced onsite; that it is common for a microbrewery to be located in a business park similar to this location; that the Applicants will discuss hours of operation and proposed conditions of approval; that the proposal is a low intensity use; and that the Applicants are aware of the community's concerns.

Mr. Smith stated that he is a co-founder of Dewey Beer Company; that Dewey Beer Company has been in operation for five years; that with the expansion of the company, there is a need for larger premises; that the location in Harbeson can handle the anticipated growth of the company; that the requested hours of operation are 11 am – 11 pm; and that they would like to be able to have a food truck at the location for certain events.

Mr. Robertson stated that the property is zoned C-1 (General Commercial) but the reason that this application is before the Commission is because microbreweries are not a permitted use in C-1; that a restaurant or a brewpub would be a permitted use at this location and would not require a public hearing.

Ms. Stevenson noted that microbreweries are a permitted use in C-2 and asked if the Applicant should have requested a change in zone. Mr. Robertson said it could be applied for as a change of zone to C-2 or a conditional use in C-1. Ms. Stevenson asked how much production would happen at this site and what would be the wastewater impact on the area.

Mr. Riley stated that he is the head brewer and a partner in Dewey Beer Company; that he manages the day to day operations of producing the beer; that there are about six employees who brew the beer; that there have been no complaints against the operation in Dewey Beach; that all waste is disposed appropriately, and the new location in Harbeson will be run likewise; that for every gallon of beer produced there are seven gallons of wastewater; that the wastewater from the microbrewery would be similar to that from a busy restaurant; that the wastewater would not be toxic; that the new location is served by public sewer and water; that steam is emitted for approximately one hour per day and the odor is similar to the odor from a bakery; that there are no gases emitted; that although it is a large building that there will three – four employees a day; that there is adequate parking onsite; that the wastewater will not be trucked from the site but will be going into the waste lines.

Mr. Townsend stated that parking requirements have not yet been determined for a microbrewery; that the need for parking would not coincide with the needs of parking for the other facilities within the business park; that the Applicant is requesting to have music for special events

Mr. Mears asked if they would be making beer to take to the Dewey Beach location, but beer will not be produced and packaged to sell. Mr. Riley stated that the beer produced onsite will be sold through a distributor to restaurants and bars; that the raw materials will be trucked in; that with a larger facility, more product can be ordered at one time which will mean fewer deliveries.

Mr. Robertson said that this type of business is strongly monitored by both State and Federal Law and there is a limit on how much can be produced based on the type of license the brewery has.

Chairman Wheatley asked if the term EDU means Equivalent Dwelling Unit and if the Applicant meant the usage would be the same as 4 – 7 residential properties. Mr. Riley said that this is the predicted use for this location

The Commission found that no one spoke in favor of the Application.

The Commission found that Ms. Jacqueline Conklin spoke in opposition to the Application; that Ms. Conklin stated that she lives near the proposed microbrewery; that though it is a business area, it is surrounded by residential homes; that the current businesses in the park operate on a 8am – 5 pm basis; that parking is limited; that the value of the residences surrounding the microbrewery will be adversely affected; that there will be increased noise and lighting; and that she would like to know what will happen in the case of inclement weather.

Mr. Riley stated that there is limited indoor seating so in the case of inclement weather, there would be no outdoor seating; that a food truck will not be a permanent fixture on site but be there on weekends in the afternoons; and that they do not intend to be open into the late night.

Chairman Wheatley announced that the Public hearing for the Application was now closed.

At the conclusion of the Public Hearings, the Commission discussed this application.

Motion by Ms. Stevenson, seconded by Ms. Wingate, to defer application C/U 2210 – Dewey Beer Company, LLC for further consideration. Motion carried unanimously 5-0.

**C/U 2217 – Israel Bravo**

**An Ordinance to grant a Conditional Use of land in an AR-1 (Agricultural Residential District) for storage of utilities equipment and vehicles to be located on a certain parcel of land lying and being in Seaford Hundred, Sussex County, containing 6.16 acres, more or less.** The property is lying on east side of Sanfilippo Rd approximately 0.85 mile north of Eskridge Rd (S.C.R. 531). 911 Address: 20871 Sanfilippo Rd., Bridgeville. Tax Parcel: 331-2.00-44.07

Mr. Whitehouse advised the Commission that they have received the Applicant's conceptual site plan, a staff analysis, a copy of the DelDOT service level evaluation response, and comments from the Sussex County Engineering Department Utility Planning Division.

The Commission found that Mr. Israel Bravo was present on behalf of his Application; that Mr. Bravo stated he is requesting a conditional use to store cable and equipment on his property; that cable is used for installing cable TV; that the business has been in operation for 11 years; that he has ten employees; that there is adequate parking onsite; that a sign is not necessary as he contracts for Comcast; that adjacent to this property there is a logging business; that there are no chemicals stored outdoors; and that only business equipment will be onsite.

The Commission found that no one spoke in favor of or in opposition to the Application. Upon there being no further questions, Chairman Wheatley closed the public hearing for this application.

At the conclusion of the Public Hearings, the Commission discussed C/U 2217 – Israel Bravo. Motion by Mr. Hopkins, second by Ms. Wingate, to defer action for further consideration. Motion carried 5-0.

**C/Z 1917 – Iacchetta Development Corporation**

**An Ordinance to amend the Comprehensive Zoning Map of Sussex County from an AR-1 (Agricultural Residential District) to a C-2 (Medium Commercial District) for a certain parcel of land lying and being in Baltimore Hundred, Sussex County, containing 0.504 acres, more or less.** The property is lying on the north side of Lighthouse Rd. (Route 54) approximately 293.7 ft. west of West Line Rd. 911 Address: 33175 Lighthouse Road, Selbyville. Tax Parcel: 533-18.00-28.01

Mr. Whitehouse advised the Commission that they have received the Applicants conceptual site plan, a staff analysis, a copy of the DelDOT service level evaluation response, comments from the Sussex County Engineering Department Utility Planning Division and two letters of support.

The Commission found that Mr. Ray Tomasetti, Esq. was present on behalf of the Applicant Iacchetta Development Corporation, that also present are Dino Iacchetta and Russell Hammond; that the subject is adjacent on the east and west to C-1 properties; that the plan is to exit through the shopping center on the east which is also owned by the Applicant; that there will be 21 parking spaces which will accommodate the overflow from the shopping center; and that the request is consistent with the land use in the area and the Sussex County Comprehensive Plan

Mr. Dino Iacchetta stated that there are lights for security, but they are not overly bright; and that when the shopping center was designed it included to points of entrance and exit for safety purposes.

The Commission found that no one spoke in favor of or in opposition to the Application. Upon there being no further questions, Chairman Wheatley closed the public hearing for this application.

At the conclusion of the Public Hearings, the Commission discussed C/Z 1917 – Iacchetta Development Corporation. Motion by Ms. Wingate, second by Mr. Hopkins, to defer action for further consideration. Motion carried 5-0.

OTHER BUSINESS

**Fieldstone Subdivision (2017-20)**

Final Subdivision Plan

This is a Final Subdivision Plan for 247 single-family lots, amenities, and site improvements on a 207.415-acre parcel of land accessed from Cedar Grove Road (S.C.R. 283). The Planning and Zoning Commission approved the Preliminary Subdivision Plan with conditions at their meeting of Thursday, April 12, 2018. The Final Subdivision Plan complies with the Sussex County Zoning and Subdivision Code and all conditions of approval. Tax Parcel: 334-12.00-16.00 (part of). Zoning: AR-1 (Agricultural Residential Zoning District) and GR (General Residential Zoning District.) Staff are in receipt of all agency approvals.

Motion by Ms. Stevenson, seconded by Ms. Wingate, and carried unanimously to approve the Final Subdivision Plan. Motion carried 5-0.

**Four Seasons at Belle Terre Phase 2 Subdivision (2016-15)**

Revised Final Subdivision Plan

This is a Revised Final Subdivision Plan for a cluster subdivision to consist of the construction of 269 single family lots, with Phase 1 to include 141 lots and for this Phase 2 to be comprised of 128 lots. The subdivision has access off Mulberry Knoll Road (S.C.R. 284) by way of Dorman Farm Lane. The Planning and Zoning Commission approved the Preliminary Subdivision Plan with conditions at their meeting of Thursday, December 22, 2016. The Final Subdivision Plan for Phase 2 complies with the Sussex County Zoning and Subdivision Code and all conditions of approval. Tax Parcels: 334-12.00-17.00, 18.00, 19.00 & 20.00. Zoning: AR-1 (Agricultural Residential Zoning District.) Staff are in receipt of all agency approvals.

Motion by Ms. Stevenson, seconded by Mr. Hopkins, and carried unanimously to approve the Revised Final Subdivision Plan. Motion carried 5-0.

**Johnsonville Subdivision (2006-39)**

Revised Final Subdivision Plan

This is a Revised Final Subdivision Plan for the Johnsonville Subdivision (2006-39) (F.K.A. the Henry James Johnson Subdivision) for the addition of a masonry monument sign, a 750 square foot easement on Lot 22, relocation of the existing bus shelter, and the reduction of the Forest Conservation Easement from 100-ft to 50-ft to the rear of Lots 2-16. The Planning and Zoning Commission approved the Final Subdivision Plan at its meeting of Thursday, March 10, 2011. The applicant has also received approval from the Sussex Conservation District and 51% of property owners within the subdivision for the reduction of the forest conservation easement for the development. The subdivision is located on the east and west sides of Lawson Road (S.C.R. 296). The Commission reviewed this proposal at its meeting of Thursday, June 25, 2020 and requested additional information from staff regarding subdivision history, including the original intent of establishing the existing Forest Conservation Easement. A TAC letter received from DNREC in February of 2007 identified a potential hunting issue in which legal hunting activities may occur on adjacent properties. The comments suggest that because hunting within 100 yards of a dwelling is prohibited, a buffer needed to be maintained and established between the proposed dwellings and the adjoining properties. Otherwise, the adjacent landowners would lose the use of up to 100 yards of their property for hunting purposes. The Revised Final Subdivision Plan complies with the Sussex County Zoning and Subdivision Code and all conditions of approval. Staff are awaiting the Commission's decision regarding this proposal. Tax Parcel: 234-21.00-141.00. Zoning: AR-1 (Agricultural Residential Zoning District. Staff are in receipt of all agency approvals.

Motion by Ms. Stevenson, seconded by Mr. Hopkins, and carried unanimously to approve the Revised Final Subdivision Plan for the addition of a masonry monument sign, a 750 square foot easement on Lot 22, relocation of the existing bus shelter, and to deny the reduction of the Forest Conservation Easement from 100-ft to 50-ft to the rear of Lots 2-16. Motion carried 5-0.

**Mt. Calvary Pentecostal Church (S-19-22)**

Revised Preliminary Site Plan

This is a Revised Preliminary Site Plan for a 6,360 square foot church building, with 38 parking spaces and other site improvements to be located off Slaughter Neck Rd (S.C.R. 215). A Preliminary Site Plan for this site was previously approved by the Planning and Zoning Commission at their meeting of Thursday, June 13, 2019. The Revised Site Plan now proposes 9 parking spaces to be located within the front setback as well as relocating the stormwater management area to the rear of the structure. This

Revised Preliminary Site Plan complies with the Sussex County Zoning Code. Tax Parcel: 230-14.00-140.00. Zoning: GR (General Residential Zoning District). Staff are in receipt of all agency approvals.

Motion by Ms. Stevenson, seconded by Mr. Hopkins, and carried unanimously to approve the Preliminary Site Plan with the condition that the parking spaces within the front setback not be built unless parking becomes an issue in the future, with final approval by staff subject to receipt of all agency approvals. Motion carried 5-0.

**Lands of Jackson**

Minor Subdivision off a 50-ft easement

This is a Preliminary Subdivision Plan for a minor subdivision of a 9.88-acre parcel into a 3.02-acre lot off a 50-ft easement over an existing drive. The property is located off Hollyville Rd (S.C.R. 48) in Harbeson, Delaware. Tax Parcel: 234-10.00-199.00. Zoning: AR-1 (Agricultural Residential Zoning District). Staff are in receipt of all agency approvals.

Motion by Ms. Stevenson, seconded by Mr. Hopkins, and carried unanimously to approve the Minor Subdivision off a 50-ft easement. Motion carried 5-0

ADDITIONAL BUSINESS

**Meeting adjourned at 7:44 p.m.**

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